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March 17, 2020

**BY ECF**

Honorable Ronnie Abrams  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: Brian Coleman v. City of New York, et al.  
18 CV 11819 (RA)

Your Honor:

I am Senior Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, and the attorney for defendants City of New York and Police Officer Johanny Beissel ("City defendants") in the above referenced matter. The parties respectfully write to request a stay in this matter until October 16, 2020.

On January 8, 2020, Your Honor granted defendants' consent request for an extension of discovery and adjournment of a status conference. ECF Dkt. No. 40. Fact discovery is to be completed by March 27, 2020 and a status conference is currently scheduled for May 8, 2020. ECF Dkt. No. 40. On February 25, 2020, defendants Dollar Tree Stores were dismissed from this matter. ECF Dkt. No. 42. While no depositions have been taken in this matter the parties have scheduled the plaintiff's deposition for March 18, 2020 and defendant officer Johanny Beissel's deposition for March 20, 2020.

However, given the recent developments of the coronavirus pandemic, neither plaintiff nor defendant officer Beissel want to sit for their scheduled deposition. Both parties are considered high risk and are susceptible for transmission of the coronavirus. Plaintiff's age places him in the high risk category and defendant officer Beissel has planned leave of absence starting on April 15, 2020 for approximately five months that places her in the high risk category.<sup>1</sup>

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<sup>1</sup> If Your Honor would like more information regarding either parties' high risk status, the parties are willing to provide that information to the Court for an *in camera* review.

Accordingly, the parties are requesting a stay of this matter until October 16, 2020 given the parties inability to complete fact discovery due to the recent coronavirus pandemic which places both parties in the high risk category for transmission and defendant officer Beissel's approximate five month leave of absence.

The parties thank the Court for its time and consideration in this matter.

Respectfully submitted,



Alison S. Mitchell  
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Special Federal Litigation Division

cc: Gregory William Zenon, *Attorney for Plaintiff* (by ECF)

Application granted.

SO ORDERED.



Hon. Ronnie Abrams  
3/18/2020